

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

ANTHONY C. MARTIN,

Plaintiff,

v.

STATE OF INDIANA, et al.,

Defendants.

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CAUSE NO. 1:12-CV-69

OPINION AND ORDER

On July 9, 2012, Plaintiff Anthony Martin filed a motion (Docket # 19) seeking, as nearly as the Court can tell, to enforce relief for Amanda Delegrange, the Plaintiff in *Amanda Delegrange v. State of Indiana, et al.*, 1:12-cv-68, a case involving the same incident and parties as the present case, by consolidating her case with this case.

But Federal Rule of Civil Procedure 42(a) only provides for consolidation involving “actions before the court.” FED. R. CIV. P. 42(a). Delegrange’s case (1:12-cv-68), however, was dismissed by her with prejudice on March 22, 2012. As such, her case is no longer an “action before the court” and thus is ineligible for consolidation.

Accordingly, the Court has contemporaneously stricken Martin’s motion in *Amanda Delegrange v. State of Indiana*, 1:12-cv-68, the purported companion case. Therefore, Martin’s motion (Docket # 19) in the present case is DENIED.

SO ORDERED.

Enter for this 10th day of July, 2012.

S/Roger B. Cosbey
Roger B. Cosbey,
United States Magistrate Judge